



Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
February 24, 2014

LENARD E. SCHWARTZER
2850 S. Jones Blvd., Ste. 1
Las Vegas, NV 89146
(702) 307-2022

TRUSTEE

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re	) Case No. BK-S 12-21969 MKN
)
PANKALLA-LANE, DAWN CAROL	) IN PROCEEDINGS UNDER CHAPTER 7
)
	) ORDER GRANTING TRUSTEE'S MOTION
	) TO SELL REAL PROPERTY AND PAY
	) COMMISSION AND NORMAL CLOSING
	) COSTS
	) (8944 Argus Reed Avenue, Las Vegas, NV)
)
	) Date: February 20, 2014
Debtor(s)	) Time: 11:00 a.m.
	) Place: Foley Bldg., Third Floor

The motion of the Trustee, LENARD E. SCHWARTZER to sell the real property located at 8944 Argus Reed Avenue, Las Vegas, NV coming before this Court on February 20, 2014, before a United States Bankruptcy Judge. Appearing at the hearing was the Trustee representing himself, and MATTHEW K. SCHRIEVER, ESQ., of TIFFANY & BOSCO, P.A., attorney for The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders

1 of the CWABS, Inc., Asset-Backed Certificates, Series 2005-7. Notice having been given as
2 required by law, no other parties appeared or filed any opposition, and good cause appearing
3 therefor,
4

5 IT IS HEREBY ORDERED that the Trustee in the Bankruptcy estate of Dawn Carol
6 Pankalla-Lane, aka Dawn C Lane, aka Dawn Lane is authorized to:

7 (1) sell the Property described hereinbelow to the highest offer approved by Secured
8 Creditor(s) under the terms and conditions set forth in the motion on file herein, including
9 compliance with the written Short Sale Approval Letter to be obtained from Secured Creditor(s).

10 The sale on said Property shall be closed within one year from the date of entry of this order.
11

12 Real property located at 8944 Argus Reed Avenue, Las Vegas, NV, more particularly
13 described in the attached Exhibit "A," attached hereto and incorporated herein by reference.

14 (2) pay the normal closing costs at close of escrow, including a real estate commission of
15 no more than 6% to be approved by Secured Creditor(s).
16

17 (3) obtain release of or pay all liens as shown on the Preliminary Title Report prior to
18 closing or at time of closing.

19 (4) pay a \$395.00 transaction fee to Asset Management Realty from the estate's portion
20 of the sale proceeds.

21 (5) require payment from the Buyer of \$5,000 or 3% of the selling price over
22 \$200,000.00 to the Bankruptcy Estate, which may be reduced by the above-referenced \$395.00
23 transaction fee should the short sale lender not approve payment, and
24

25 (6) execute any and all documents on behalf of Seller necessary to effectuate the sale.

26 IT IS FURTHER ORDERED that this Order does not affect the right of any Secured
27 Creditor to seek relief from the automatic stay or to foreclose on the property.
28

1 IT IS FURTHER ORDERED that the Trustee waives any claim under the Nevada
2 Homeowners Bill of Rights for "dual tracking."

3 Submitted by:

4 
5 LENARD E. SCHWARTZER

6 Trustee

7 
8 GREGORY L. WILDE

9 MATTHEW K. SCHRIEVER

10 TIFFANY & BOSCO, P.A.

11 Attorney for Secured Creditor

12 ALTERNATIVE METHOD re RULE 9021:

13 In accordance with Local Rule 9021, the Trustee submitting this document certifies that
14 the order accurately reflects the court's ruling and that (check one):

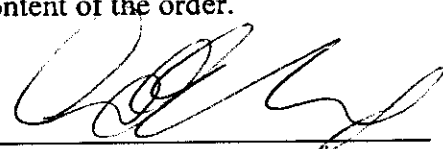
15 _____ The Court waived the requirement set forth in LR9021(b)(1).

16 _____ No parties appeared at the hearing or filed an objection to the motion.

17 ___X___ I have delivered a copy of this proposed order to all counsel who appeared at the
18 hearing, and any unrepresented parties who appeared at the hearing, and each has approved or
19 disapproved the order, or failed to respond, as indicated below [list each party and whether the
20 party has approved, disapproved, or failed to respond to the document]:

21 TIFFANY & BOSCO, P.A. Approved/Disapproved/Failed to Respond

22 _____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this
23 order with the motion pursuant to LR 9014(g), and that no party has objected to the form or
24 content of the order.

25 
26 LENARD E. SCHWARTZER

27 ###

Order No. 13-05-0725-JKH
2nd AMENDMENT

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL I:

LOT FORTY-EIGHT (48) OF VENEZIA PHASE 1 @ RHODES RANCH, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 105, OF PLATS, PAGE 97, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL II:

AN EASEMENT FOR INGRESS AND EGRESS OVER THE PRIVATE STREETS AND COMMON AREAS AS SHOWN AND DELINEATED ON SAID MAP

EXHIBIT "A"